

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/27/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	12-CR-732 (VEC)
	:	
	:	<u>ORDER</u>
ROBERT CALVENTE,	:	
	:	
Defendant.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on December 15, 2020, Mr. Calvente filed a Motion for Compassionate Release, Dkt. 238; and

WHEREAS on August 13, 2021, Mr. Calvente's case was re-assigned to the Undersigned, Dkt. 239;

WHEREAS on October 21, 2021, the Government filed its response in opposition to the motion, Dkt. 244;

WHEREAS on October 22, 2021, the Government served its response on Mr. Calvente at USP Leavenworth, Dkt. 245;

WHEREAS on October 22, 2021, Mr. Calvente was moved from USP Leavenworth to USP Victorville;

WHEREAS Mr. Calvente's reply in support of his motion was due on November 19, 2021;

WHEREAS Mr. Calvente did not file a reply by the deadline; and

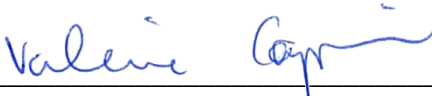
WHEREAS the Court does not know whether Mr. Calvente received the Government's response in opposition to his motion given that he was moved to a different prison around the same time as the opposition was filed.

IT IS HEREBY ORDERED that Mr. Calvente's reply in support of his motion for compassionate release is due no later than **Friday, January 28, 2022**. The Court is unlikely to extend that deadline further. To the extent that Mr. Calvente is not vaccinated against COVID-19, he may include an explanation for that decision in his reply brief. Mr. Calvente should mail his reply to Judge Valerie Caproni, 40 Foley Square, New York, NY 10007. If the Court does not receive a reply by the deadline, the Court will consider the motion fully briefed and will promptly decide the motion.

The Clerk of Court is respectfully directed to mail a copy of this Order and the Government's response in opposition at docket entry 243 to Robert Calvente, Reg. No. 67221-054, USP Victorville, U.S. Penitentiary, P.O. Box 3900, Adelanto, CA 92301, and to note the two mailings on the docket.

SO ORDERED.

Date: December 27, 2021
New York, NY



VALERIE CAPRONI
United States District Judge